

**CARROLL**

Sept.

CRIMINAL DOCKET - U.S. District Court	
PO #	112-1-2
Misd. <input type="checkbox"/>	Disp./Sentence <b>2705</b>
Felony <input checked="" type="checkbox"/>	District Off Judge/Magistr.

U.S. WRIT JUVENILE ALIAS OFFENSE ON INDEX CARD

(LAST, FIRST, MIDDLE)  
SOWELL, GREGORY, a  
Greg Sowell

Case Filed  
09 07 90  
No. of  
Def's. 3  
U.S. MAG.  
CASE NO.

Docket No.  
SOUTHERN DIV.  
90-00177-02

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS
21/846	Possess with intent to distribute and distribution of cocaine base, a Schedule II controlled substance (Ct. 1)	1
21/841(a)(1)	Distribution of a Schedule II controlled substance - cocaine base (Cts. 3,4)	2
		4

**FINAL TERM**

I. CHARGES

INTERVAL ONE			END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)			SUPERSEDING COUNTS			END INTERVAL TWO				
KEY DATE		arrest sum'n's custody appears-on complaint	KEY DATE		Indictment 2005 unsealed consent to Mag. trial on complaint Information Felony-W/waver	KEY DATE		a) <input checked="" type="checkbox"/> 1st appears on pending charge /R40 b) <input type="checkbox"/> Receive fil R20/21 c) <input type="checkbox"/> Supsdg. <input type="checkbox"/> Indf. Inf d) <input type="checkbox"/> Order New trial e) <input type="checkbox"/> Remand f) <input type="checkbox"/> G/P Withdrawn	KEY DATE		10-29-90	APPLICABLE	Dismissal Pled guilty Nolo <input type="checkbox"/> After nolo After N.G. Trial (voir dire) began <input checked="" type="checkbox"/> Jury <input type="checkbox"/> N.J.
EARLIEST OF	9-13-90	ARRAIGNMENT	1st Trial Ended	RE-TRIAL	2nd Trial Began	DISPOSITION DATE	SENTENCE DATE	PTD Nolle Pros.	FINAL CHARGES DISMISSED on def on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP <input type="checkbox"/> motion				
1st appears with or waives counsel	9-13-90				11-1-90	3-20-91							

Search Warrant	Issued	DATE	INITIAL/NO.	III. MAGISTRATE	INITIAL/NO.	OUTCOME:
	Return			INITIAL APPEARANCE DATE ►		
Summons	Issued			PRELIMINARY EXAMINATION OR	Date Scheduled ►	HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
	Served			REMOVAL OR	Date Held ►	HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
Arrest Warrant Issued				HEARING		
COMPLAINT ►				WAIVED	NOT WAIVED	Tape Number
Date of Arrest				INTERVENING INDICTMENT		
OFFENSE (In Complaint)						

Show last names and suffix numbers of other defendants on same indictment/information:

01-LINDSEY 03-BENSON

ATTORNEYS

U. S. Attorney or Asst.

James E. Wilson, U.S. Attorney

Steven M. Reynolds, Asst. U.S. Attorney

Defense: 1  CJA. 2  Ret. 3  Waived. 4  Self. 5  Non / Other. 6  PD. 7  CD

Douglas C. Freeman  
669 S. Lawrence St.  
Montgomery, AL 36104  
(205) 264-2000  
Appt'd 9/11/90

Federal Defender  
1960 RSA Tower  
201 Monroe Street  
Montgomery, AL 36104  
324-2099  
(appt'd 1/6/97)

#08240-002  
FCI Marianna  
Quarters: M-B  
P. O. Box 7007  
Marianna, FL 32447-7007

IV. NAMES &amp; ADDRESSES OF ATTORNEYS, SURETIES, ETC.

FINE AND RESTITUTION PAYMENTS			X Docket Entries Begin On Reverse Side		
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

RULE       
20 21 40 In Out

BAIL &amp; RELEASE

PRE-INDICTMENT

Release Date	
Bail Denied	<input type="checkbox"/> Fugitive
Date Set	<input type="checkbox"/> Pers. Rec.
\$	<input type="checkbox"/> PSA
Conditions	<input type="checkbox"/> Collateral
Date Set	<input type="checkbox"/> 10% Dep.
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Surety Bnd
Date Bond Made	<input type="checkbox"/> 3rd Ptry
	<input type="checkbox"/> Other

POST-INDICTMENT

Release Date	
X Bail Denied	<input type="checkbox"/> Fugitive
AMOUNT SET	<input type="checkbox"/> Pers. Rec.
\$	<input type="checkbox"/> PSA
Conditions	<input type="checkbox"/> Collateral
Date Set	<input type="checkbox"/> 10% Dep.
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Surety Bnd
Date Bond Made	<input type="checkbox"/> 3rd Ptry
	<input type="checkbox"/> Other

APPEALS FEE PAYMENTS

LETTER CODES  
For identifying periods of excludable delay per 18 USC 3161(h) (Seebrackets)

A Exam or hearing for mental/physical incapacity (18 USC 4244) (1)(ii)(A))

B NARA exam (18 USC 2802) (1)(ii)(B))

C State/Fed prep on other charge (1)(ii)(D))

D Interlocutory appeal (1)(ii)(E))

E Prelim motion (from filing to hearing or to other pretrial disposition) (1)(ii)(F))

F Transfer from other district per FROP 20.21 or 40 or Mag. Rule 6(e)(1)(G))

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed (1)(ii)(A))

H Misc. proceedings; arraignment, period prosecution, remand, Disposition, extra time (1)(ii)

I Deferred or prosecution (per 28 USC 2802) (1)(ii)(C))

J Transportation from another district or term extension or adjournment in 10 days or less (1)(ii)(H))

K Consideration by Court of proposed plea agreement (1)(ii)(I))

L Prosecution deferred by proposed agreement (1)(ii)

M Unavailability of defendant or essential witness (1)(ii)(A,B))

N Period of mental/physical incapacity of def. to stand trial (1)(ii)

O Period of NARA communication/treatment (1)(ii)

P Superceding indictment and/or new charges (1)(ii)

R Def. awaiting trial of co-defendant(s) and no severance has been granted (1)(ii)

T Continuance granted due to "good cause" if more than one of the following reasons (T1 thru T4) is given in support of continuance (1)(ii)(A,B))

T1 Failure to continue would interfere with preparation or result in miscarriage of justice (1)(ii)(B,iii))

T2 Case unusual or complex (1)(ii)(B,ii))

T3 Indictment following arrest can't be tried in 30 days (1)(ii)(B,vi))

T4 Continuance granted to enable defendant to consult with counsel or give reasonable time to prepare (1)(ii)(B,iv))

U Time up to withdrawn guilty plea, 3161(i)

W Grant of jury indictment time extended 30 more days, 3161(h)

DATE DOCUMENT NO.	Def. Docket No. 90-00177	Def. MASTER DOCKET NUMBER OF FINANCIAL CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE	
(OPTIONAL) Show last names of defendants				
<b>V. PROCEEDINGS</b>				
9-7-90	1	Indictment. (Unsealed per Order rendered in Cr. Misc. #235)		
9-7-90	3	Warrant for arrest issued.		
9-10-90		Initial appearance before Magistrate Carroll. Detention hearing continued to Thursday, 9-13-90.		
9-10-90	6	Government's motion for detention hearing.		
9-10-90	7	Defendant's financial affidavit.		
9-11-90	8	CJA 20 order/voucher appointing Douglas C. Freeman to represent the defendant at 9/13/90 detention hearing and arraignment.		
9-11-90		<b>ARRAIGNMENT.</b> Defendant appeared before Judge Varner with his attorney, Hon. Douglas Freeman, and entered a plea of not guilty. Remanded to custody of Marshal pending trial.		
9-14-90	14	Marshal's return on warrant for arrest executed 9/7/90.		
9-19-90	18	<b>TRIAL NOTICE.</b> (10/29/90 at 10:00 a.m., Dothan, Alabama.)		
9-21-90	22	Defendant's <b>motion</b> for additional 10 days to file pre-trial motions. Referred to Judge Hobbs.	7/21/90 7/21/90	4
9-21-90	24	Magistrate Carroll's <b>ORDER OF DETENTION PENDING TRIAL</b> (Rendered 9/14/90). (Copies furnished to USA, PO, USM; mailed to counsel.) EOD 9/21/90		
9-24-90	27	<b>ORDER DIRECTING</b> the Government to respond to defendant Lindsey's 9/21/90 motion to compel disclosure on or before 10/2/90; granting defendant Sowell's motion for an extension of time in which to file additional motions to the extent that defendant Sowell's motions shall be filed no later than 10/4/90; that the Government's responses to any such motion shall be filed on or before 10/7/90; <b>DIRECTING</b> all parties to file any requested voir dire questions and any proposed jury instructions on or before 10/22/90. (Copies furnished to USA; mailed to all remaining counsel.)		
10-18-90	39	Defendant's <b>ex parte motion</b> for issuance of subpoenas. Referred to Judge Hobbs.	10-18-90 10-18-90	2
10-19-90	41	<b>ORDER</b> directing the Clerk to issue the necessary subpoenas to require the attendance of the witnesses, as set out in order, at the trial of this case for the term commencing Monday, October 29, 1990, second floor courtroom, Dothan, Alabama; that the costs incurred by the issuance of these processes, the service thereof, and the fees of the witnesses be paid in the same manner that similar costs and fees are paid where witnesses are subpoenaed in behalf of the United States; that the U.S. Marshal execute and serve the necessary processes. <b>SUBPOENAS ISSUED.</b> (Copies furnished to USM w/subpoenas; mailed to counsel.)	10-19-90 10-19-90	2

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UNITED STATES DISTR. COURT  
CRIMINAL DOCKET U. S. vs

SOWELL, GREGORY

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
10-22-90	42 Defendant's requested jury charges (1-19). Referred to Judge Hobbs.				
10-22-90	43 Defendant's requested voir dire questions (1-18). Referred to Judge Hobbs.				
10-22-90	44 Government's requested jury instructions (1-14). Referred to Judge Hobbs.				
10-22-90	45 Government's requested voir dire questions (1-16). Referred to Judge Hobbs.				
10-25-90	49 Government's (additional) requested jury instruction. Referred to Judge Hobbs.				
10-29-90	Jury selected; trial commenced.				
10-30-90	Trial in progress.				
10-31-90	Trial in progress.				
11-1-90	51 Jury questions/request; Court's response.				
11-1-90	52 Jury question; Court's response.				
11-1-90	53 Jury question; Court's response.				
11-1-90	56 Jury verdict of guilty as charged in Counts 1, 3, and 4 of the Indictment.				
11-2-90	57 Courtroom deputy's minutes of trial proceedings on Oct. 29-31, 1990 and Nov. 1, 1990; witness list; exhibit lists. [EXHIBITS IN ONE (1) BOX IN BASEMENT EXHIBIT ROOM.] 10-31-90 Deft.'s oral motion for judgment of acquittal at the close of Gov.'s case. MOTION DENIED 10-31-90. 10-31-90 Deft.'s oral renewal of m/judg. of acquittal.				
11-30-90	58 Defendant's motion to allow release pending sentencing. Referred to Judge Hobbs.				
12-5-90	59 ORDER denying defendant's motion to allow release pending sentencing. (Copies mailed to counsel; furnished to USA, USM & PO.) EOD 12-5-90.				
12-19-90	Court reporter's transcript of the testimony of Fred G. Glover takening 10/30-31/90.				
2-28-91	60 Probation's letter on completion and mailing of presentence report to counsel.				

Interval (per Section II)	Start Date End Date	Ltr. Total Code Days
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**UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET**

SOWELL, GREGORY

SOUTHERN DIVISION

90-00177-02

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DATE	PROCEEDINGS (continued)		V. EXCLUDABLE DELAY			
	(Document No.)		(a)	(b)	(c)	(d)
2-28-91	62	<b>SENTENCING NOTICE.</b> (3/20/91 at 11:00 a.m., first floor courtroom, Montgomery, AL.)				
3-18-91	66	U.S. Attorney's request to Marshal for the appearance of Fred Glover now confined at Maxwell F.P.C. on 3/20/91 to give testimony.				
3-18-91	67	U.S. Attorney's request to Marshal for the appearance of Amos Teague now confined at Maxwell F.P.C. on 3/20/91 to give testimony.				
3-20-91	72	<b>SENTENCE.</b> <b>JUDGMENT</b> committing defendant to the custody of the Bureau of Prisons for a term of TWENTY-SEVEN (27) YEARS; that this term consists of terms of 27 years on Count 1 and 20 years on Count 3 and 4 to be served concurrently; that the defendant is to stand committed for service of this sentence this date; that the defendant pay an assessment fee of \$150.00 through the office of the U.S. District Court Clerk which is due this date; placing defendant on supervised release for a period of FIVE (5) YEARS on each Count which is to run concurrently upon defendant's release from custody; that while on supervised release, the defendant shall comply with the standard conditions of supervised release that have been adopted by this Court and shall comply with the following additonal conditions: that the defendant shall not possess a firearm or destructive device; that the defendant shall report in person to the U.S. Probation Office in the District to which he is released within 72 hours of his release from the custody of the Bureau of Prisons; that the defendant is to participate in a substance abuse treatment program as directed by his probation officer; The Court declined to enter an order of restitution. (Copies furnished to USA, PO, USM, defendant; mailed to counsel and Coffee Co. Bd. of Registrars.) EOD 3/21/91				
3-20-91	73	ORDER that the presentence report in this cause be filed with the Clerk of this Court wherein it shall be placed under seal; that if an appeal is taken, the presentence report shall be transmitted under seal to the appellate court; that upon written application to the Clerk of this Court, counsel for the defendant and for the government may examine the report or obtain a copy thereof as futher set out in order. (Copies furnished to USA, PO; mailed to counsel.) EOD 3/21/91				
3-20-91	74	<b>PRESENTENCE REPORT.</b> (Sealed and placed in the vault.)				

**Interval  
(per Section II)**

Start Date  
End Date

Ltr.	Total
Code	Days

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
3-28-91	81 Courtroom deputy's minutes of 3/20/91 sentencing hearing.				
4-1-91	82 Defendant's <b>Notice of Appeal</b> to the U. S. Court of Appeals, Eleventh Circuit from the order entered 3/20/91. (Copies mailed to Douglas Freeman with appeal information sheet and CJA-24 form; furnished Steve Reynolds, AUSA; furnished James R. Dickens, Court Reporter; and certified copies to USCA, Eleventh Circuit with copies of order appealed from and docket entries.)				
4-10-91 *	83 CJA-24 Form. [James R. Dickens]				
5-3-91	Court Reporter James R. Dickens' official transcript (3 volumes) of trial held 10/29-31/90 before Judge Truman Hobbs, Dothan, AL.				
5-3-91	Court Reporter James R. Dickens' official transcript (1 volume) of sentencing hearing [Henry Jen Lindsey and Gregory Sowell] held 3/20/91 before Judge Truman M. Hobbs, Montgomery, AL.				
5-6-91	Copies of transcripts (4 volumes) mailed CMRRR to counsel.				
5-6-91	CJA-24 form approved for payment in the amount of \$1,302.00 by Judge Hobbs.				
5-8-91	92 Return receipt showing service of transcripts on L. Richardson for Douglas Freeman on 5-7-91.				
5-8-91	Certificate of Readiness of Record on Appeal mailed to USCA, Eleventh Circuit.				
*4-19-91	CJA 20 voucher for Hon. Douglas C. Freeman approved by Judge Hobbs in the amount of \$3,777.84 and processed for payment.				
7-8-91	\$25.00 partial assessment fee paid through the BOP inmate offset program per report dated 7-30-91.				
8-23-91	Entire Record on Appeal (1 volumes pleadings, 5 volumes transcripts and 3 envelopes exhibits [2 SEALED]) picked up by UPS for delivery to USCA, Eleventh Circuit.				
2-5-92	\$25.00 partial assessment fee paid through the BOP inmate offset program per report dated 2-24-92.				
7-8-92	\$25.00 partial assessment fee paid through the BOP inmate offset program .				

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

## UNITED STATES DISTRICT COURT

## CRIMINAL DOCKET

USA vs. GREGORY SOWELL

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DATE (Document No.)	PROCEEDINGS (continued)	Page 5	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
10-19-92	93 JUDGMENT (entered 3/16/92, issued as mandate 10/15/92) of the U. S. Court of Appeals, Eleventh Circuit AFFIRMING the district court. See Rule 36-1.					
10-19-92	94 ORDER (entered 10/5/92) of the U. S. Supreme Court denying the petitioner for writ of certiorari to the U. S. Court of Appeals, Eleventh Circuit.					
10-19-92	Entire Record on Appeal to be returned at a later date.					
10-23-92	Entire Record on Appeal (1 volume pleadings, 5 volumes transcripts and 3 envelopes exhibits [2 SEALED]) returned by USCA, Eleventh Circuit.					
11-17-92	\$25.00 partial assessment fee paid through BOP offset program.					
3-4-93	\$25.00 partial assessment fee paid through BOP offset program.					
9-4-93	\$25.00 final assessment fee paid through BOP program.					
10-8-93	95 Government's SATISFACTION OF JUDGMENT.					
3-2-94	Official Court Reporter's Transcript of 10/29/90 Opening Statements [of 10/29/90 - 11/1/90 jury trial before Judge Truman M. Hobbs]. [1 volume]					
3-2-94	Official Court Reporter's Transcript of 10/31/90 Closing Statements [of 10/29/90 through 11/1/90 jury trial before Judge Truman M. Hobbs]. [1 volume]					
4-12-94	96 Government's motion for release of evidence. Referred to Judge Hobbs. GRANTED 4/14/94					
4-14-94	97 ORDER GRANTING the United States of America's 4/12/94 Motion for Release of Evidence and DIRECTING the Clerk of the Court to release to the custody of Special Agent Allen Hancock of the Drug Enforcement Administration <u>all physical evidence</u> introduced by the United States during the trial of this matter and retained by the Court, and obtain a release therefor. (Copies mailed to counsel; furnished USA, USPO.)					
4-24-96	120 Defendant's MOTION Under 28 USC § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. Referred to Magistrate Judge Carroll/Lane.		<u>CV-96-H-641-S</u>			
4-29-96	121 Magistrate Judge Carroll's ORDER directing the clerk to serve a copy of this order with a copy of the defendant's §2255 motion upon the U.S. Attorney; an answer is ordered to be filed within twenty (20) days of the date of this order. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, Sheila).					

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U. S. vs

SOWELL, GREGORY

90-00177-02  
Yr. Docket No. Def.

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DATE	PROCEEDINGS (continued)	Page 6	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
	(Document No.)					
5-14-96	124 Government's response to Motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence by a person in Federal custody. Referred to Magistrate Judge Carroll.					
5-17-96	125 Defendant's MOTION Requesting Time to Respond to Government's Response to §2255. Referred to Mag Judge Carroll. GR 5/22/96 (Copies mailed to dft; furnished USA, USPO, USPTS.)					
5-28-96	127 Defendant's Memorandum of Law in Support of Movant's Motion to Vacate, Set Aside or Correct Sentence. Referred to Judge Carroll. (Construed as m/amend §2255) M/GRANTED 6/5/96					
5-28-96	128 Defendant's Emergency Motion for Bond. Referred to Magistrate Judge Carroll. M/DENIED 6/5/96					
5-28-96	129 Defendant's Motion Requesting Evidentiary Hearing. Referred to Magistrate judge Carroll. M/DENIED 6/5/96					
5-28-96	130 Defendant's Motion for Appointment of Counsel. Referred to Magistrate Judge Carroll. M/DENIED 6/5/96					
6-5-96	131 Magistrate Judge Carroll's ORDER denying defendant's motion for emergency bond, motion for appointment of counsel, and motion for evidentiary hearing. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, SHEILA).					
6-5-96	132 Magistrate Judge Carroll's ORDER construing defendant's response filed 5/28/96 as a motion to amend 28 U.S.C. §2255 motion; motion to amend is granted; the clerk is directed to serve a copy of the amended §2255 motion upon the U.S. Attorney; an answer must be filed to the amended motion within twenty days of the date of this order. (Copies mailed to defendant; furnished: USA, USM, USPO, USPTS, Sheila).					
6-24-96	133 Government's RESPONSE to Defendant's Amended Motion Pursuant to 28 USC § 2255. Referred to Magistrate Judge Carroll.					
7-1-96	134 Defendant's TRAVERSE to United States' Response. Exhibits A-C attached. Referred to Mag Judge Carroll.					
7-1-96	135 Defendant's MOTION Requesting Evidentiary Hearing. Referred to Mag Judge Carroll. M/TERMED by 2/10/97 Order					
7-1-95	136 Defendant's Emergency MOTION for bond. Referred to Mag Judge Carroll.					
7-1-96	137 Defendant's MOTION for Appointment of Counsel. Referred to Mag Judge Carroll. TRM 1/6/97					

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET

USA vs. GREGORY SOWELL

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DATE	PROCEEDINGS (continued)	Page 7	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
	(Document No.)					
11-18-96	139 Defendant's (third) MOTION for Appointment of Counsel. Referred to Magistrate Judge Carroll. TRM 1/6/97					
11-18-96	140 Defendant's (third) MOTION Requesting Evidentiary Hearing. Referred to Magistrate Judge Carroll. <b>M/TERMED by 2/10/97 Order</b>					
1-6-97	145 Magistrate Judge Carroll's ORDER appointing the Federal Defender to represent the petitioner in all further proceedings, directing the Clerk to make the file available to counsel, or in the alternative, to furnish counsel with copies of all pleadings and documents contained in the file; and setting a <b>status conference</b> for 2/7/97 at 8:45 a.m., in chambers. (Copies mailed to dft and furnished USA, FD, USPO, USM.)					
2-10-97	146 Magistrate Judge Carroll's ORDER directing the dft to file an amended post-conviction motion on or before 4/8/97; setting a <b>pretrial conference</b> at 8:30 a.m. on 5/23/97, in chambers and directing parties to submit a proposed pretrial order as outlined in the attachment to this order; and setting an <b>evidentiary hearing</b> on 6/17/97 at 9:00 a.m., third floor courtroom. All parties shall file a witness list at least twenty days before trial, as outlined in order. The persons having custody of the petitioner are to produce him at the 6/17/97 evidentiary hearing. (Copies mailed to dft; copies furnished FD, USA, USPO, USM, MT, SL.)					
4-17-97	147 Defendant's MOTION to Extend Time Within Which to File Amended Post-Conviction Motion. Referred to Magistrate Judge Carroll.					
5-2-97	148 Government's notice of evidentiary hearing conflict. Referred to Magistrate Judge Carroll.					
5-2-97	149 Defendant's AMENDED Post-Conviction MOTION. Referred to Magistrate Judge Carroll.					
5-5-97	STAMPED ORDER (incorporated in Doc #147) GRANTING defendant's 4/17/97 Motion to Extend Time Within Which to File Amended Post-Conviction Motion. (Copies furnished to USA, FD, USPO)					
5-5-97	150 Magistrate Judge Carroll's ORDER TREATING the Govt's 5/2/97 notice as a motion to continue, granting the motion and continuing the <b>evidentiary hearing</b> to 6/30/97 at 9:00 a.m., Third Floor Courtroom, Montgomery, Alabama. (Copies furnished USA, FD, USPO; mailed to dft.)					

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U. S. vs GREGORY SOWELL

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DATE	PROCEEDINGS (continued)	Page 8	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
	(Document No.)					
5-7-97	151 Magistrate Judge Carroll's ORDER continuing the pretrial conference scheduled in this cause for 5/23/97 to 6/13/97 at 10:30 a.m., in the Chambers of United States Magistrate Judge John L. Carroll. (Copies furnished FD, USA, USPO, MT, SL.)					
6-10-97	152 Petitioner's witness list. Referred to Magistrate Judge Carroll.					
6-13-97	153 Government's witness list and expected testimony. Referred to Magistrate Judge Carroll.					
6-16-97	154 Magistrate Judge Carroll's pretrial order. (Copies furnished to: Federal Defender, USA, USM, USPO; Stan).					
6-20-97	155 Government's motion for order to compel compliance with Court's order of 2-10-97. Referred to Mag. Judge Carroll. M/GRANTED 6/25/97. (Copies furnished to: USA, USM, USPO; mailed to: Fed. Defender).					
6-24-97	156 Defendant's motion to continue evidentiary hearing. Referred to Mag. Judge Carroll. M/GRANTED 6/26/97.					
6-26-97	157 Magistrate Judge Carroll's ORDER granting defendant's motion to continue Evidentiary Hearing; that the evidentiary hearing scheduled for 6/30/97 is continued to August 19, 1997 @ 2 p.m., in the Third Floor Courtroom, of The Frank M. Johnson, Jr., Federal Building and U. S. Courthouse, Montgomery, AL; that persons having custody of defendant are directed to produce him at the August 19th hearing. (Copy mailed to: petitioner; Federal Defender; furnished to: USA, USM, USPO, Marie, Sheila & Stan).					
8-19-97	<b>EVIDENTIARY HEARING HELD PURSUANT TO 28 USC 2255 MOTION.</b>					
8-19-97	158 Courtroom Deputy's minutes, witness and exhibit lists.					
9-19-97	159 Magistrate Judge Carroll's recommendation that the motion for post-conviction relief filed by defendant be DENIED; ORDER that the Clerk file the recommendation and serve by mail a copy thereof on the parties to this action. The parties are directed to file any objections to said recommendation within a period of 13 days from the date of mailing to them. (Copy mailed to: Federal Defender, petitioner; furnished to: USA, USM, USPO, Sheila; copy placed in front of file).					

Interval (per Section II)	Start Date End Date	Ltr. Total Code Days
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## UNITED STATES DISTRICT COURT

## CRIMINAL DOCKET

USA vs. GREGORY SOWELL

AO 256A

DATE (Document No.)	PROCEEDINGS (continued)	Page 9	V. EXCLUDABLE DELAY			
			(a)	(b)	(c)	(d)
10-2-97	160 Defendant's <b>OBJECTION</b> to the Recommendation of the Magistrate Judge. Referred to Magistrate Judge Carroll.					
10-16-97	161 <b>ORDER, JUDGMENT, and DECREE</b> overruling the Objections to the Magistrate Judge's Recommendation, ADOPTING the 9/19/97 Recommendation of the Magistrate Judge, and DENYING defendant Sowell's Motion filed pursuant to 28 USC Section 2255. (Copies mailed to defendant and furnished USA, FD, USPO, USPTSO, Civil Clk.)					
10-24-97	162 <b>NOTICE OF APPEAL</b> BY Gregory Sowell to the U.S. Court of Appeals, Eleventh Circuit from the Order, Judgment & Decree entered in this action on October 16, 1997. (Copies mailed to William R. King, Esq., with appeal information sheet & criminal docketing statement; Steven M. Reynolds, AUSA; Court Reporter, & certified copy to USCA with copies of orders appealed from and docket entries.)					
10-27-97	Notice of Appeal docketed & transmitted to USCA, 11th Cir. Re: [162-1] appeal.					
11-5-97	USCA CASE #97-6856; Re: [162-1] appeal.					
12-17-97	162 Notice of Appeal (construed as a Motion for issuance of a Certificate of Appealability. referred to Judge Hobbs. <b>M/DENIED</b> )					
12-18-97	163 <b>ORDER</b> denying [162-1] Motion for a Certificate of Appealability. (Copies mailed to Defendant, USCA; Furn: USA.)					
1-26-98	Received request from USCA (dated 1/20/98) for original papers.					
2-3-98	Entire Court File ( 1 volume original papers, 5 volumes transcripts, 1 Envelope exhibits & 1 sealed PSI report) picked up by UPS for delivery to USCA, 11th Cir. at request of CaCeila Williams.					
2-11-98	Received acknowledgment of receipt of ROA.					
3-24-98	Received copy of ORDER (dated 3/23/98) of the U.S. Court of Appeals, Eleventh Circuit, DENYING AS MOOT Appellant's motion for a certificate of probable cause , because he mailed his 28 U.S.C. §2255 motion before April 24, 1996, the effective date of the Antiterrorism and Effective Death Penalty Act of 1996, this appeal may proceed. <u>(Signed by Judge Frank M. Hull, Circuit Judge)</u>					

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET U.S. vs

SOWELL, GREGORY, a/k/a

90- 00177-S

Yr. Docket No. Def.

AO 256A

DATE (Document No.)	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
3-24-98	Entire Court File (1 volume original papers, 5 volumes transcripts, 1 envelope exhibits & 1 sealed PSI report) returned by USCA, 11th Cir.				
8-20-98	Received copy of correspondence from USCA, 11th Circuit (dated 8/18/98) advising PARTIES that a Motion to modify briefing schedule and motion to supplement ROA are both GRANTED.				
6-4-98*	Certificate of Readiness of Record on Appeal mailed to USCA, 11th Cir. & Counsel.				
1-19-99	Court Reporter's [Betty Murphree] transcript of 8/19/97 Evidentiary Hearing held before Hon. John L. Carroll.				
1-19-99	Certificate of Readiness of FIRST SUPPLEMENT to Record on Appeal mailed to USCA, 11th Cir. & Counsel.				
3-8-99	Received request from USCA, 11th Cir. for ROA, via e-mail.				
3-11-99	Entire Record on Appeal ( 1 volume pleadings, 6 volumes transcripts, 1 SEALED PSI, 1 Supp. to ROA) picked up by UPS for delivery to USCA, 11th Cir.) [97-6856] SEALED PSI RETURNED TO VAULT				
7-1-99	Received certified copy of PER CURIAM OPINION: (rendered May 5, 1999) of the U.S. Court of Appeals, Eleventh Circuit. [97-6856]				
7-1-99 164	JUDGMENT BY USCA: (rendered 5/5/99, is issued as the mandate 6/30/99) of the U.S. Court of Appeals, Eleventh Circuit, AFFIRMING the District Court. (Before: BIRCH, BARKETT and HULL, Circuit Judges.) [97-6856]				
7-1-99	Entire Record on Appeal ( 1 volume pleadings, 6 volumes transcripts, 1 SEALED PSI & 1 SUPP. To ROA) returned by USCA, 11th Cir. [97-6856]				

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days